

Approved: March 23, 2021

## **MONTAGUE TOWNSHIP COMMITTEE MEETING**

### **MINUTES**

**MARCH 9, 2021**  
**(Via GoToMeeting and In-Person)**  
**7:00 PM**

#### **OPENING STATEMENT**

Mayor Innella called the Montague Township Committee meeting to order at 7:06 p.m., following the Board of Health Meeting, announcing that adequate notice had been provided to the New Jersey Herald and the Sunday New Jersey Herald for publication in which notice was given of the date, time, place and general agenda of the meeting according to the Open Public Meetings Act.

#### **FLAG SALUTE**

The Pledge of Allegiance commenced at the Board of Health Meeting prior to the Township Committee Meeting.

#### **ROLL CALL**

Present were: Ms. Crawford, Ms. Martin, Mr. Merusi, Mr. Zitone, Mayor Innella  
Also present was Clerk DeFabiis and Attorney Rossmeissl

Absent: None

#### **VOUCHERS**

Mr. Merusi made a motion to approve the vouchers. Ms. Martin seconded. Mr. Zitone had one comment on the vouchers. He stated that the Township was out of salt and couldn't get any salt from the co-op and they weren't delivering or answering the phones. Hardyston provided a contact called Bakily Salt Company, and they delivered 4 loads of salt on short notice right before the big storm. They sent in four bills for the salt, and on the voucher list there are only two. Mr. Zitone would like to approve paying all four bills, so they don't have to wait another month to get paid for the other two loads which would be around \$3800 to \$4000. When the voucher comes in, Mr. Zitone would like them to be paid and included in the approval of these vouchers. Mayor Innella commented that it's nice for Mr. Zitone to do this because they really bailed us out when there was no salt available. The main motion to approve the vouchers with the addition of the two Bakily Salt Company bills carried with a unanimous roll call vote.

#### **MINUTES**

Ms. Martin made a motion to approve the Regular Meeting Minutes of February 23, 2021. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

Mayor Innella thanked Ms. Martin for stepping up and leading the Special Meeting held on February 12<sup>th</sup> as his wife had an accident and broke her ankle.

Ms. Crawford asked to add to the agenda under new business an investigation into the operations of Altice USA.

#### **ORDINANCES** (First Reading)

2021-02 AN ORDINANCE FIXING THE SALARIES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE YEAR 2021

Mr. Zitone made a motion to approve Ordinance 2021-02 upon introduction. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

2021-03 AN ORDINANCE TO AMEND CHAPTER 54B OF THE CODE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, IN ORDER TO ESTABLISH RESTRICTIONS ON THE RENTAL OF RESIDENTIAL DWELLING UNITS FOR CERTAIN TIME PERIODS.

Ms. Martin made a motion to approve Ordinance 2021-03 upon introduction. The Mayor let those in attendance know that this is about the air bnb's, and the town is going to put a restriction on people renting out their places for less than sixty days. Attorney Rossmeissl let those in attendance know that there is a carve out for people's guests and staff. There would be an

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entirely different section of the township code that would affect campsites such as Trail Blazer Camp. Attorney Rossmeissl believes that this Ordinance is clean and simple and should not cause any issues. Mr. Merusi seconded the motion, and the motion carried with a unanimous roll call vote.

### **ORDINANCES** (Second Reading)

#### **2021-01 AN ORDINANCE AMENDING CHAPTER 56 STORMWATER MANAGEMENT OF THE TOWNSHIP OF MONTAGUE CODE**

Ms. Martin made a motion to approve Ordinance 2021-01 upon second reading. Mr. Merusi seconded. Mr. Zitone made a motion to open to the public. Mr. Merusi seconded, and the motion carried with a unanimous voice vote. The Mayor informed those in attendance that the Township received a 30-page document from the State of New Jersey that went to the Township Engineer stating that this will be your new code. The Engineer went through it, forwarded it to us, and we have to put it on the books. The Mayor then asked if anyone from the public would like to speak. There being no comments from the public, Mr. Merusi made a motion to close to the public. Ms. Crawford seconded, and the motion carried with a unanimous voice vote. The main motion to approve Ordinance 2021-01 carried with a unanimous roll call vote.

### **RESOLUTIONS**

#### **2021-18 AUTHORIZE EXECUTION OF A SHARED SERVICES AGREEMENT WITH SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2020 RECYCLING TONNAGE REPORT TO NJDEP**

Mayor Innella informed those in attendance that this has an annual cost of \$300. Ms. Martin added that it had been \$250 and went up to \$300, and the reason we do this is because the town does not have a Certified Recycling Coordinator. The town does all the paperwork and SCMUA signs it. Ms. Martin made a motion to approve Resolution 2021-18. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

#### **2021-19 RESOLUTION AUTHORIZING TAX MAP MAINTENANCE AGREEMENT BETWEEN REMINGTON & VERNICK ENGINEERS AND MONTAGUE TOWNSHIP FOR YEAR 2021**

Mayor Innella stated that he believes this is well worth it. He went on to say that he and Mr. Zitone were here when the town went through a reval and it took two years to update the tax maps because they were so antiquated. This company provides regular maintenance of the tax maps and it is up to date a year later. Mr. Merusi made a motion to approve Resolution 2021-19. Ms. Crawford seconded, and the motion carried with a unanimous roll call vote.

#### **2021-20 A RESOLUTION FIXING THE SALARIES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE YEAR 2021**

Clerk DeFabiis informed the Committee that this Resolution has to be tabled because there is a Salary Ordinance on this agenda that was approved upon introduction tonight which must be adopted before this resolution can be approved. Mr. Merusi made a motion to table Resolution 2021-20. Ms. Crawford seconded, and the motion carried with a unanimous voice vote.

#### **2021-21 TRANSFER RESOLUTION**

Mayor Innella informed that this is for an adjustment of \$336.68 that needs to be made for the 2020 budget. Ms. Martin approved Resolution 2021-21 with the change of wording to say "2020 budget" instead of 2021. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

### **CORRESPONDENCE**

New Jersey Dept. of Environment Protection                      Re:     Donation of property request for property located at 255 and 257 Old Chimney Ridge Road

Mayor Innella informed those in attendance that the State denied the donation of property request for the property located at 255 and 257 Old Chimney Ridge Road. Clerk DeFabiis stated that they then forwarded it to Montague to see if Montague would like to accept the donation. Mr. Zitone made a motion to deny the request for the donation of property. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

## **NEW BUSINESS**

### **Marijuana Legalization (Attorney)**

Attorney Rossmeissl informed those in attendance that the Governor signed three laws on February 22, 2021 legalizing recreational cannabis. The three different laws were the ones that were the sticking points for all this which impose penalties for minors, and then there was the expungement law, and the law that is most relevant to the township which is the legalization of recreational cannabis law. From the time that he signed it, the township has 150 days to take some kind of action or to take no action. The legalization was of six different licensed types of uses: cultivation, manufacture of cannabis products, wholesaling, distribution, retail sales and delivery. If the municipality takes no action by August 21, 2021, then every single one of those uses automatically becomes legal in the township. They would still be subject to normal zoning and permitting so they couldn't just open a shop anywhere, but you would lose your ability to regulate them for five years until you would have another shot. If a business opened in those five years, then that business could continue even when you had your second shot in five years. Attorney Rossmeissl said it was important to see how the Committee wanted to deal with this. If you don't want retail sales in the township, but you want to permit wholesaling, you can make one of them legal and the other illegal. The benefit of making any of the licensed uses legal in the township is that there are a couple of different types of taxes you can impose. You can tax the transfer of cannabis from one establishment to another, and retail sales up to 2%. You can tax sales from wholesalers to 1%. There is some possible revenue, and in a place like Montague with open land, you may want to think about cultivation. Regardless of what you do and don't act on, recreational cannabis will be legal for people to use in the township and delivery into the township from out of township will also be legal. Those are two things you have no control over. Beyond that, it is basically your canvas to decide how you want to deal with this and the ordinance can be drafted however you would like it. The Township has until August to decide what uses it wants to permit. Mayor Innella questioned the delivery of cannabis. Attorney Rossmeissl said it's basically like a food delivery service and what can be outlawed is having that kind of delivery service operating from inside of Montague. The town cannot outlaw the delivery from a delivery service outside of Montague into Montague. If the Town chooses to permit one or more of these uses, it has free reign over how to regulate them. If the Town does nothing, you cannot control them at all. Ms. Martin expressed concern over having 24-hour security at these facilities, especially when they are non-operational. Attorney Rossmeissl said the big concern they are hearing is that if you permit retail sales in your township, it will become a hub where everybody is coming in. He said to look at the towns around you. If they are banning retail sales and you allow it, you would become the hub and would collect the money on the tax at 2%. Mayor Innella asked the Committee to think about it, and what their tolerance level is. Attorney Rossmeissl will see that his memo to Mayor Innella gets distributed to the Committee.

### **Holidays (Zitone)**

Mr. Zitone said that years ago Mr. Brislin made a motion to close early before Christmas and then Thanksgiving as a courtesy. The early closings then also included the days before Memorial Day, July 4<sup>th</sup> and Labor Day. It got to the point where the Clerk was getting called about leaving early for each holiday. The Clerk said it didn't get out of control, but people just started wanting to leave earlier, mainly the DPW. Nobody in town hall complained about leaving at 1:00. There are twelve holidays per year. Ms. Martin suggested having Election Day as a floating holiday and take away the half days. If somebody needs to leave early, they can use their personal time. As a floating holiday, the day can be taken as a group. The staff can decide when they want to use the floating holiday at the beginning of the year. Ms. Martin asked the Clerk why the Election Day Holiday was taken away. The Clerk responded saying that New Year's Day fell on a Saturday one year and she followed the County and State Holiday calendars which closed on Friday December 31<sup>st</sup> for the New Year's Holiday that year. The next year the employees received one less holiday because one day was moved to the year ahead. The Clerk initially tried to follow the State and County guidelines for holidays, so the number of holidays could differ each year and Mr. Brislin did not like this. Ms. Crawford agreed to following these guidelines. We want to be open when the State and County are open. After discussion, the Committee agreed to no more half days, but added back Election Day as a floating holiday that has to be taken by all employees on the same day. The town cannot be off 3 days in a row. The Committee approved this with a unanimous voice vote.

Altice USA (Crawford)

The Mayor of Byram Township has been circulating a letter and information to make people aware that there will be a Zoom meeting where the Board of Public Utilities is investigating the operations of Altice USA. Altice is the parent company of Optimum. Some residents say that they are certain that the service has seriously declined and there are comments on the Montague chat site to that effect. One resident has suggested that maybe just one committee member attend the Zoom meeting. Ms. Crawford doesn't have any real knowledge of complaints. Ms. Martin heard that because everyone is at home doing school work, the internet goes down.

There are so many on it at one time that it crashes just like the County did the other day. It takes longer because of the volume. Ms. Martin felt we can listen to the hearing for the Board of Public Utilities, but volume is probably the main issue. Attorney Rossmeissl commented this his understanding is the same as Ms. Martin's, and he has a number of municipalities that have Altice as their provider with lots of complaints about service. He doesn't know what the status is in Montague, but it would not be a bad idea to listen in. Attorney Rossmeissl said he will probably be able to hear what happened at the meeting one way or another from another municipality if no one from Montague is able to listen in. He may be able to give an update about it at the next meeting regardless of whether anyone from Montague can attend.

**OLD BUSINESS**

Burned Out Buildings (Attorney)

Attorney Rossmeissl was hoping to have a better update on both of these. Mr. Huber is going to provide a priority list of buildings in the township, but he has not gotten back to the attorney yet. We now know what action we're going to take when we have that list. The fund can be used to pay for anybody who is working toward knocking down the buildings. We can put a lien against them. Attorney Rossmeissl hopes to have a better update at the next meeting after Mr. Huber gets back to him.

Solar (Attorney)

The Resolution that was passed at a previous meeting was worded so that it was contingent upon Geoscape for New Jersey Resources getting us all the documents we need. There is an outstanding document request to them and we should be getting the documents shortly. We are not in a hurry, but we need the documents from them. It is insurance for the installation. As soon as the documents are in order and given back to Attorney Rossmeissl, the Mayor and the Clerk will be able to sign the agreement and get installation started on the new building. The Mayor commented for the people listening that this is not something the Township is paying up front. The town normally pays 16 cents per kilowatt and it will go down to 6 cents. Basically the town is leasing them our space and whatever energy we're not using goes back into the system and that's where they make money, and there is some kind of tax rebate for companies that are not a non-profit organization. The Township is not fronting any money at all and we've been told we should save about \$12,000.00 per year, which would pay for all the firehouse and possibly part of the utilities on one of the other municipal buildings here.

Chickens (Crawford)

The Mayor mentioned that this issue has been dragging on for years. It's very difficult to get by, but Ms. Crawford has been putting a lot of work into this and he believes we have a pretty good compromise here, and he's going to recommend that we go ahead and run with this. Ms. Crawford said that currently people who live in Montague, in a residential area, who have less than a 2-acre lot can have no chickens at all. Ms. Crawford talked to people who are members of societies that perpetuate breeds like the Society for the Preservation of Poultry Antiquities and the Sussex County Poultry Fanciers. The town has come up with a proposal that if you have at least 1 ½ acres you would be able to have a dozen chickens and no roosters. If you have 2 acres you can have 18 chickens and no roosters. At 2 ½ acres, you can have 24 chickens and no roosters. Up to 3 acres you can have 30 chickens and no roosters. Once you hit 4 acres that number would double and you can have 60 chickens and 2 roosters. If you have over 4 but less than 5 acres, you can have 90 chickens and 3 roosters. There is a Peace and Good Order Ordinance that would address the noise issue if it should come up. There would need to be chicken coops and runs and be in the rear yard only. Roosters would only be allowed on lots of 4.0 acres or more unless the homeowner is raising chickens as part of a program with the Sussex County Poultry Fanciers, the Society for Preservation of Poultry Antiquities or similar organizations. Ms. Crawford said this is based on the Rutgers guidelines which say if you want to have farm animals in a residential area, you look at the lot size and you take the first acre that is dedicated to house, garage and lawn. The amount that is over that initial acre, that could be used to support a farm animal. The Committee discussed how to enforce it and there is a land

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code enforcement now. The only time the township would have to investigate is when neighbors are complaining against neighbors. Mayor Innella asked the Committee if anyone had issues with the number of chickens and he said he would stick with the 2 and 3 roosters and give it a run. Attorney Rossmeissl will take direction from the Committee and draft a super simple, one-page ordinance using Ms. Crawford as his contact. Ms. Crawford made a motion to ask Attorney Rossmeissl to make a simple ordinance that would cover the proposal on chickens dated 3/9/2021. Mr. Zitone seconded. Attorney Rossmeissl said upon approval here, he will have a draft ordinance for next meeting like he did with the short-term rentals and the Committee can green light it or not. The motion carried with a unanimous roll call vote.

## **REPORTS**

### Construction Department – February 2021

There were 15 permits issued, 2 of them were updated. There were 8 Technical issues, 10 Electrical, 4 Fire Protection, 8 Plumbing, 0 Elevators and 3 Mechanical. There were no Certificates of Occupancy and 15 Certificates of Approval. The grand total collected for the month of February 2021 was \$12,440. Mayor Innella thought the bulk of this was from the commercial building on Route 206.

### Tax Collector – February 2021

There were no prepaid taxes for February 2021. Current taxes collected were \$1,500,129.61. Prior Year 2020 taxes collected were \$19,881.18. Interest collected was \$1,918.77. The total collected for the month of February 2021 was \$1,521,929.56. The total collected year-to-date was \$2,299,129.65. Mayor Innella noted that we have a shared service agreement with the Newton tax collectors. They came in here and they didn't miss a beat. They use the same software program and they said Fran did a great job and things are going along very, very smoothly. They come in on Tuesdays and Thursdays from 11:00 to 4:00 for anybody with tax questions.

### **PUBLIC PARTICIPATION** (limited to three minutes per person)

Mr. Merusi made a motion to open to the public. Ms. Crawford seconded, and the motion carried with a unanimous voice vote.

Mayor Innella opened to the public and since there was nobody in the building, he opened it to those who called in by phone.

Sherry Shepard of 448 US Highway 206 said she moved to Montague 3 years ago and bought Mark and Sharon Orce's house. At the time that they bought the house, they were grandfathered in in regard to how huge they were in the community and they took over their chickens and roosters. She has less than 4 acres and she is not getting rid of her roosters. She said if the town is going to make an ordinance in regards to roosters making noises then they have to have an ordinance for the cows in the back here that moo and have an ordinance in regards to the serenity place that takes in all the animals. She has 6 kids, parents, chickens for the eggs and roosters to keep her flock going. If she can't have roosters, she wants the town to pay her a thousand dollars a year so she can buy her chickens. She thinks this is wrong. She thinks the ordinance should be dropped and everybody who has chickens and is a farmer and has been having eggs and chickens on their property for years and years should be grandfathered into this and keep their animals. She suggested the town make an ordinance for newcomers. Ms. Shepard said if this is because two neighbors can't get along in regards to the chickens and the roosters, that's their problem. She doesn't think the town should do this just because somebody complained. She has no neighbors and is across the street from the school, nobody complains. People actually stop over her house and look at the roosters and the chickens and ask her questions, and she teaches them about this. So, no, she's not getting rid of her birds. Mayor Innella thanked her and went on to the next person.

Darren Ponce of 19 Millville Road said he had been on the phone with the Zoning officer from Sandyston and she is also the Clerk in Andover Borough. Sandyston has no chicken or rooster law, only at Kittatinny Lake because it's the lake, and the houses are on top of each other. Andover Borough allows 5 chickens for 10,000 feet, that's 100 x 100. Wantage has nothing on the books about poultry at all. Mr. Ponce understands the need to do something to help people with 2 acres, but he thought the Mayor was on board with the developments of these people with  $\frac{3}{4}$  acres to let them have 6 chickens there. Mayor Innella responded he is still in favor of 6 chickens, but the Town has to start out where they are. Mr. Ponce questioned, what would happen to the people who already had roosters? Ms. Crawford replied that essentially what was

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said was that if your neighbors are not complaining, the town is not going to go out and count chickens. Mayor Innella agreed saying if nobody is complaining, the town is not going to do anything, but the town has to set some parameters. Mr. Ponce believes the property management agreement covers everything: noise, vermin, no tarps on roofs and keeping your property nice for your neighbors and didn't think the town had to impose this. Mayor Innella would give some thought to having some record on file for somebody who is already a pre-existing condition.

Mr. Ponce had a further comment regarding marijuana. He thought that with the open land Montague has, the town should really consider having a farm if somebody wants to farm. He believes the taxes would definitely benefit the town. Mayor Innella thanked Darren and said this would require a lot of thinking from the Town.

Steven Marin of 54-A Shore Drive said he is a disabled veteran who did ten years, 3 tours. He moved up here for the country life. Hearing wild animals is why he came to this type of area. That type of experience relaxes him. He understands you need to have a certain amount of property but he feels the town is telling people what they can and cannot do. He said there is becoming far too much regulation in this country and that's not what he defended for. Mayor Innella responded that the town is trying to open it up to make it easier for people to have chickens. The way the Ordinance is right now, people with 2 acres or less are not permitted to have chickens. Mr. Marin was referring to the woman on Highway 206 and said the town should grandfather in people who have been here for years.

Mr. Marin also asked the town to think about the marijuana legalization. He feels it could bring a high revenue. He said the real bill says anybody that gets into any type of farming has to have security. They have to have armed guards that they pay for that are cleared and all that type of stuff. They are usually ex-police that end up working at these places and protecting those places. Mr. Marin felt the revenue stream would be huge and you could probably almost get your own police force here in town that you could cover just from the revenue. He felt it would help people in the area in so many ways like farmers and anyone with PTSD. He asked the town to take into consideration what he was saying as a veteran. Mayor Innella thanked him for his comments.

Anthony Mastroeni of 115 Autumn Drive is the President of the Montague Little League and he called in to look for the town's permission to use the little league field when the ground is ready. Mayor Innella informed him that they have permission. Mr. Mastroeni also asked if they could use the parking lot at the Municipal Building on warm days before the field is ready. Ms. Martin suggested using the back parking lot because of the active firehouse. The Clerk informed him they would have to follow the COVID restrictions and do an application from the insurance company to hold the township harmless. Mr. Mastroeni said he has already emailed his insurance information. The Mayor and Ms. Martin thanked Mr. Mastroeni.

Allison Orsi of 41 Lowe Road came to inform the Committee that the Tennessee Gas Pipeline has plans to upgrade in the area and they are planning to build three compressor stations: One in Pennsylvania, one in Wantage, and one in West Milford. The pipelines go through Montague as well. These compressor stations will pump natural gas at a faster rate and a higher volume through these pipelines. There are risks of leaks, explosions and leaking and contaminating water supplies and wells. The pipelines run through Sussex County, Bergen County and Passaic County. Ms. Orsi asked the Committee if they would consider writing an opposition resolution to oppose this upgrade. Wantage has passed a resolution, so has Ringwood and Hamburg basically saying that we don't want this here. This will send a powerful message to the Governor who has the power to veto it and stop it. Mayor Innella asked Ms. Orsi to forward a copy of the Wantage resolution to the Town Clerk, and she would put it on the agenda for the next meeting and take it under consideration.

Mr. Gorman, the Chair for the Skylands Group which is associated with the New Jersey Sierra Club wanted to thank the Committee for considering the resolution. He wanted to point out that the Wantage compressor station now has two 3500 horse-power compressors that are basically powered by natural gas combustion. The proposed update is to add another compressor station of 21,000 horse-power, which basically multiplies it 3 or 4 times more than they have. The first issue they have identified is that the pressure is going to go through a 60-65 year old pipeline that was built in a different era with different standards. Talking to the people in Vernon who had access to the revised maintenance plans, it sounds like Tennessee Gas Pipeline is going to have to increase the sensitivity of their pipeline inspection devices. There is a lot of concern about the

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dangers of that. The second thing is the 21,000 horse-power with the other 2 compressor stations. The compressor station is about the same size as the one they use up in Minisink and there are respiratory issues. These are the same two issues that Hamburg and Wantage talked about when passing their resolutions.

Carolyn Jackson of 95 Brown Road in Wantage spoke regarding the pipeline. She had personal experience as the pipeline is in her back yard and this compressor station is going to be in her back yard. Ms. Jackson experiences terrible smells in the summertime from the gasses that come from this station. In about 2017 or 2018, she was home by herself and a terrible rumble shook the house and she thought it was an earthquake. She found out later it was from the pipeline. Her concern is that because this is going to be a bigger compressor station, there will be more pressure going through the pipeline and she heard that it was old. She believes this puts them more at risk and there are many houses along the pipeline. There are also health issues with the gasses that they smell. She would like the Committee to consider a resolution against this project and to feel free to contact the Governor to stop it. They would appreciate it if anyone would individually send the Governor a letter and she thanked the Committee.

Ms. Martin made a motion to close to the public. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Mayor Innella announced they were going to adjourn into Executive Session for personnel in regard to possibly hiring a Zoning Official.

## **MONTAGUE TOWNSHIP**

### **RESOLUTION 2020-22**

**WHEREAS** the Township of Montague is authorized, pursuant to N.J.S.A. 10:4-12 to exclude the public from that portion of this meeting for purposes of discussing specific matters as permitted by N.J.S.A. 10:4-12; and

**WHEREAS** the Township intends to discuss certain matters which are deemed confidential pursuant to N.J.S.A. 10:4-12 in Executive Session; and

**WHEREAS** at this time the Township cannot determine the time when the discussions to be held in Executive Session will be made public but will disclose the minutes of the Executive Session when the need for confidentiality no longer exists.

**NOW THEREFORE**, be it resolved by the Township Committee of the Township of Montague that this meeting shall be adjourned to an executive session (closed session) and the public will be excluded in order that the Committee may, in accordance with N.J.S.A. 10:4-13(a), discuss Personnel and Threatened Litigation, without taking action, and after reconvening this public meeting action may be taken and the Mayor or his designee will announce, if possible, the time when and the circumstances under which the discussion conducted in Executive Session will be disclosed to the public. This resolution is authorized and allowed by and pursuant to N.J.S.A. 10:4-13.

**NOW THEREFORE**, be it further resolved by the Township Committee that pursuant to N.J.S.A. 10:4-13(b) the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed to the public is when the need for confidentiality no longer exists.

Ms. Martin made a motion to close the Regular Session. Mr. Zitone seconded, and the motion carried with a unanimous voice vote. The Mayor announced the Committee would be back shortly and may or may not take any action.

Mr. Merusi made a motion to close the Executive Session. Mr. Zitone seconded, and the motion carried with a unanimous voice vote.

Ms. Crawford made a motion to go back to the Regular Session. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

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Mayor Innella stated that they had a discussion in the Executive Session about hiring a Zoning Official, and Ms. Martin made the motion to hire Richard Nemeth for 21 hours per week at \$20 per hour. His days will be Monday, Tuesday and Thursday. He will begin on March 15, 2021. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

Mayor Innella made a few comments before adjourning saying that the last couple of months have been pretty tough in Montague. First, the town was looking for an animal control officer and that was not an easy job to fill. Next, our tax collector retired and they are almost impossible to find, but Newton went into a shared service agreement with us. Then our Zoning Official decided to go into law enforcement and we found out that Zoning Officials are impossible to find so Rich Nemeth was hired to fill this position. For the last several months the Deputy Clerk was out on maternity leave, but she is back. We had another person in the office out ill for a little while which made things pretty tough. We had quite a few snow storms and a COVID outbreak at the DPW. Trying to get salt was very difficult, but Mr. Zitone got us four loads. Mayor Innella thanked everyone who stepped up and did their job.

**ADJOURN**

Mr. Merusi made a motion to adjourn. Mr. Zitone seconded, and the motion carried with a unanimous voice vote.

Respectfully submitted:

**EILEEN DEFABIIS, RMC  
MUNICIPAL CLERK**